



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/862,773	05/21/2001	David M. Schnaufer	197/40	9000

7590 05/31/2002

Adams, Schwartz & Evans, P.A.  
2180 Two First Union Center  
Charlotte, NC 28282

EXAMINER

AMARANTIDES, JOHN

ART UNIT	PAPER NUMBER
----------	--------------

2875

DATE MAILED: 05/31/2002

4

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/862,773

Applicant(s)

SCHNAUFER ET AL.

Examiner

John Amarantides

Art Unit

2875

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 17-20 is/are allowed.
- 6) ☒ Claim(s) 1-16 and 21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 May 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

## DETAILED ACTION

### *Specification*

1. The disclosure is objected to because of the following informalities: Page 13, line 1 should state, "We Claim."

Appropriate correction is required.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1 – 3, 5, 8 and 21 are rejected under 35 U.S.C. 102(b) as being anticipated by Hesprich (US005564821A).

- a. In regard to claims 1 – 3, 5, 8 and 21, Hesprich in Figure 2 discloses a work light (10) with an elongated fluorescent bulb (15) with a pin base (19) that plugs into opening (27) in a socket (25), a bulb shield (16) constructed of a transparent high impact plastic, a shock absorbing plug (31) engaging the free end of the elongated bulb for protection, a shock absorbing end cap (14) over the shock absorbing plug (31), a handle (12) for the user to manipulate the light, an insulated power supply cord (11), and a housing in the handle that contains the ballast (17) and the emissions filter elements. Hesprich in Figure 19 and lines 48 – 52 discloses capacitors (C1, C2, C3) and resistors (R1, R2, R3, R4) located in the ballast (17) that act as filters. The lamp can be used to illuminate a mobile shelter or any covered area.

*Claim Rejections - 35 USC § 103*

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hesprich (US005564821A).

a. In regard to claim 4, Hesprich in Figure 3 discloses a socket (25) with an annular flange (29) adjacent to the annular peripheral edge of the bulb shield (16). The socket (25) has a recess guide (28) forming a web (rib) that can be used to remove the socket (25). This rib (web) can also be applied to the shock-absorbing plug (31) inside the annular ring (33) shown in Figure 8.

6. Claims 6, and 10 – 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hesprich (US005564821A) as applied to claim 1 above, and further in view of Riesinger (US006169373B1).

a. In regard to claim 6, Hesprich does not disclose a switch in the cylindrical housing containing the ballast, which is also a handle. Riesinger in Figure 2 discloses a switch (38) in the cover cap (4), also the handgrip. Nevertheless it is old and well known that hand held lights have on/off switches. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains to install Riesinger's switch in the housing that contains the ballast of Hesprich work light in order enhance safety by eliminating the need to plug and unplug

Art Unit: 2875

the work light at the power source to turn it on/off. The switch would also improve the ease of use, as the light is controllable at the users fingertips.

b. In regard to claims 10 and 15, Hesprich in Figure 2 discloses a work light (10) with an elongated fluorescent bulb (15) with a pin base (19) that plugs into opening (27) in a socket (25), a bulb shield (16) constructed of a transparent high impact plastic, a shock absorbing plug (31) engaging the free end of the elongated bulb for protection, a shock absorbing end cap (14) over the shock absorbing plug (31), a handle (12) for the user to manipulate the light, an insulated power supply cord (11), and a housing in the handle that contains the ballast (17) and the emissions filter elements. Hesprich in Figure 19 and lines 48 – 52 discloses capacitors (C1, C2, C3) and resistors (R1, R2, R3, R4) located in the ballast (17) that act as filters. Hesprich does not disclose a switch in the cylindrical housing containing the ballast, which is also a handle. Riesinger in Figure 2 discloses a switch (38) in the cover cap (4), also the handgrip. Nevertheless it is old and well known that hand held lights have on/off switches. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains to install Riesinger's switch in the housing that contains the ballast of Hesprich work light in order enhance safety by eliminating the need to plug and unplug the work light at the power source to turn it on/off. The switch would also improve the ease of use, as the light is controllable at the users fingertips.

c. In regard to claims 11, 12 and 13, Hesprich in Figures 2 and 3 discloses a ballast (17) with wires (22) connected to connectors (26) which are through-bores leading into

Art Unit: 2875

the conical openings (27) in the socket (25) that the fluorescent bulb pin base (19) plugs in.

d. In regard to claim 14, Hesprich in column 6, lines 35 – 38 discloses that the socket (25) and annular flange (29) are integrally formed of an injected mold or extruded thermoplastic elastomer.

e. In regard to claim 16, Hesprich in Figure 5, discloses a socket (25) with tapered guide recesses (28) to guide the pins of the bulb into the socket assembly.

7. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hesprich (US005564821A) as applied to claim 1 above, and further in view of M. R. Barnes (US002233280).

a. In regard to claim 7, Hesprich does not disclose a removable colored filter over the bulb shield. Barnes in column 2, lines 1 – 5 discloses the use of colored glass or other suitable color-filtering material in a hinged tubular shape. Nevertheless it is old and well known that hand held lights require different illumination intensities and color for specific conditions and tasks. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains to install Barnes' removable colored filter on the light shield of Hesprich work light in order enhance the versatility and use of the work light to perform tasks under different conditions by simply changing a filter. The removable color filters would also reduce the number of work lights needed to perform various tasks.

Art Unit: 2875

8. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hesprich (US005564821A) as applied to claims 1 and 8 above, and further in view of Davies (US005043530).

a. In regard to claim 9, Hesprich does not disclose a sheath over the power cable to reduce emissions generated by the work light. Davies in Figure 1 discloses a power cable with a silver-coated copper alloy braided shield (16) to reduce emissions. Nevertheless it is old and well known that there are many different types of electrical cables. The apparatus power and emissions requirements must be known to select the proper power cable. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains to use Davies' sheath power cord with Hesprich's work light in order to enhance the emissions control of the work light.

***Allowable Subject Matter***

9. Claims 17 – 20 are allowed.

10. The following is a statement of reasons for the indication of allowable subject matter:

a. Regarding claims 17 and 20, the references of the prior art of record fail to teach or suggest the combination of the limitations as set forth in claims 17 and 20, and specifically comprising the limitation of the perforated emissions insulating screen surrounding the bulb tube to work in conjunction with the emissions housing to reduce the emissions generated by the work light.

b. Claims 18 and 19 are allowable for the reasons given in claim 17 because of their dependency status from claim 17.

Art Unit: 2875

*Conclusion*


11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following patents are cited to show the present state of the art with respect to work lights:

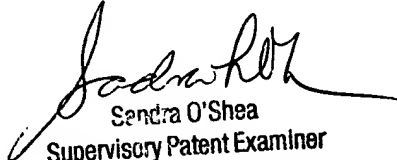
- a. US005765941A to Vest
- b. US005528477A to Carmo

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to John Amarantides whose telephone number is 703-305-4013. The examiner can normally be reached 8:00am-4:30pm M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandy O'Shea can be reached on 703-305-4939. The fax phone numbers for the organization where this application or proceeding is assigned are 703-308-7724 for regular communications and 703-308-8303 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-306-3329.

JA   
May 22, 2002

  
Sandra O'Shea  
Supervisory Patent Examiner  
Technology Center 2800